

# REMARKS

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-18 are pending, with claims 1 and 10 being the independent claims. Claims 1-18 are amended. Support for the amendment to the claims can be found throughout Applicants' specification (as originally filed), including, *inter alia*, Paragraphs 0020-0024 and 0033-0037 of the written description and Figures 1, 1A, 8-10, 15, and 16 of the drawings. This amendment is believed to introduce no new matter, and its entry is respectfully requested.

Based on the above amendment and the following remarks, Applicants respectfully request the Examiner to reconsider and withdraw all outstanding objections and rejections.

## **Rejections under 35 U.S.C. § 102**

In the Office Action, the Examiner rejects claims 1 and 10 under 35 U.S.C. 102(b) as allegedly being anticipated by U.S. Patent Application Publication No. 2001/0053699 issued to McCrady *et al.* ("McCrady"). Paper No. 20070619, page 2. Although Applicants respectfully disagree, this rejection is rendered moot in light of the above amendment.

For example with respect to independent claim 1, McCrady does not disclose, *inter alia*:

approximating a geographic region within which the target node is located, wherein the approximating a geographic region comprises accessing reference latencies associated with the at least one reference node and comparing the reference latencies with the

target latency to thereby approximate the geographic region.  
(Amended claim 1 above).

McCraday describes a position location system that determines the position of a target or master mobile communication device. Paragraphs 0043-0044. The target device receives ranging pulses from a plurality of reference devices to determine a range from the target device to each reference device, and a conventional trilateration technique is used to determine from the range measurements the location of the target device. Paragraphs 0046-0047.

By comparison to claim 1, McCraday does not disclose the collection of two types or classes of latency information, namely “reference latency” and “target latency.” Referring to the language of McCraday, McCraday does not disclose that its ranging pulses include (a) a first class of ranging pulses that include “information regarding communication latencies amongst the plurality of reference [devices] and [exclude] information regarding communication latencies between the target [device] and any one of the plurality of reference [devices]; and (b) a second class of ranging pulses that include “information regarding communication latency between the target [device] and the at least one reference [device].” It follows, therefore, that McCraday does not disclose “approximating a geographic region within which the target [device] is located...[by] comparing the [first class of ranging pulses] with [the second class of ranging pulses].” Therefore, Applicants respectfully submit that claim 1 is not anticipated by McCraday.

It should be understood that Applicants do not concede or deny that McCraday’s “target device,” “reference devices,” and “ranging pulses” are comparable to the “target node,” “reference nodes,” and “reference/target latency,” respectively, recited in claim 1.

Since independent claim 10 recites features similar to those of independent claim 1, this claim is patentable over McCrady for at least the above reason(s). Claims 2-9 and 11-18 depend directly or indirectly from independent claims 1 or 10. The dependent claims, therefore, are patentable over McCrady for at least the above reason(s), in addition to the particular features recited in the dependent claims. Accordingly, Applicants respectfully request reconsideration and withdrawal of the standing rejection, and allowance of the pending claims.

### **Rejections under 35 U.S.C. § 103**

In the Office Action, the Examiner rejects claims 2-9 and 11-18 under 35 U.S.C. 103(a) as allegedly being unpatentable in view of a combination of McCrady; U.S. Patent No. 5,521,907 issued to Ennis, Jr. *et al.* (“Ennis”); U.S. Patent Application Publication No. 2003/0195984 issued to Zisapel *et al.* (“Zisapel”); U.S. Patent No. 7,072,305 issued to Gregson (“Gregson”); U.S. Patent No. 6,169,903 issued to Dorenbosch (“Dorenbosch”); and a publication by Marshall Brain & Tom Harris, entitled “How GPS Receivers Work” (“Brain & Harris”). Paper No. 20070619, pages 3-11. Although Applicants respectfully disagree, this rejection is rendered moot in light of the above amendment.

As discussed above with reference to the rejections under 35 U.S.C. § 102, McCrady does not disclose, *inter alia*:

approximating a geographic region within which the target node is located, wherein the approximating a geographic region comprises accessing reference latencies associated with the at least one reference node and comparing the reference latencies with the

target latency to thereby approximate the geographic region.  
(Amended claim 1 above).

Moreover, McCrady, taken alone or in combination with the other applied documents (namely, Ennis, Zisapel, Gregson, Dorenbosch, and Brain & Harris), does not teach or suggest the above feature(s).

Ennis, Zisapel, Gregson, Dorenbosch, and Brain & Harris, all, fail to cure the deficiencies of McCrady since each of these documents, taken alone or in combination, also does not teach or suggest, *inter alia*, “approximating a geographic region within which the target node is located...[by] comparing the reference latencies with the target latency,” as recited in claim 1. None of these documents teach or suggest the two types or classes of latency information, namely “reference latency” and “target latency.”

Since independent claim 10 recites features similar to those of independent claim 1, this claim is patentable over McCrady, Ennis, Zisapel, Gregson, Dorenbosch, and/or Brain & Harris for at least the above reason(s). Claims 2-9 and 11-18 depend directly or indirectly from independent claims 1 or 10. The dependent claims, therefore, are patentable over McCrady, Ennis, Zisapel, Gregson, Dorenbosch, and/or Brain & Harris for at least the above reason(s), in addition to the particular features recited in the dependent claims. Accordingly, Applicants respectfully request reconsideration and withdrawal of the standing rejection, and allowance of the pending claims.

## **Conclusion**

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the

Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is kindly invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment and Reply is respectfully requested. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 02-4270.

Respectfully submitted,

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